

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 1:06-CR-99

v.

HON. ROBERT HOLMES BELL

JONATHAN QUINTIN MOTEN,

Defendant.

_____ /

MEMORANDUM OPINION AND ORDER

This matter is before the Court on defendant's Motion for Modification or Reduction of Sentence Pursuant to 18 U.S.C. §3582(c)(2) (docket #31). Based on a review of defendant's motion, the Sentence Modification Report, submissions by counsel on behalf of the defendant and the government, and the original criminal file, the Court has determined that the motion should be denied for the following reason(s):

Defendant was originally sentenced on November 13, 2006 to 96 months custody following his conviction for Possession with Intent to Distribute 5 Grams or more of a Mixture or Substance Containing a Detectable Amount of Cocaine Base contrary to 21 U.S.C. § 841(a)(1) and (b)(1)(B)(iii). The defendant's sentence was later reduced to 77 months on November 6, 2009 after the Court granted the defendant's motion requesting modification or reduction of his sentence pursuant to 18 U.S.C. § 3582(c)(2)

and Amendments 706 and 711 of the United States Sentencing Guidelines.

According to the latest Sentence Modification Report, the defendant's projected release date is June 7, 2012. It is anticipated that the Bureau of Prisons is using the short time between now and his release date to prepare defendant adequately for his release back into society.

ACCORDINGLY, defendant's motion is respectfully **DENIED**.

Date: May 18, 2012

/s/ Robert Holmes Bell
ROBERT HOLMES BELL
UNITED STATES DISTRICT JUDGE